

Plp 2/14/74

DDS&T

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MEMORANDUM FOR: GLC

This is the bill on revising the
NASA charter which I mentioned
to you at this morning's meeting.
Will send a copy to DDS&T and
IC.

PLC

2/14/74
(DATE)

FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

(47)

ing in the country, at the Federal, state, and local level, has suffered as a result of the Federal Government's obsessive pursuit of the war in Indochina.

Mr. PERCY. Mr. President, I have listened with great interest to the words of the distinguished majority leader. I would like to support what the distinguished Senator has said with respect to the cost of war.

I have been working with in the Government Operations Committee together with the Senator from North Carolina (Mr. ERVIN) on the recommendations for improved congressional control over budgetary outlays. We will go into mark up on a bill for a new procedure for budgetary control on October 1, 5, and 8.

The reason we feel our procedures are in need of revision is brought out by a situation that seems to be completely out of control. We are faced with the fact that in the 53 years since 1920, the budget of the United States has shown a deficit 37 times. In large part the deficits that we have undergone have been because of war.

We must recognize that of the \$268 billion budget we are dealing with for fiscal year 1974, virtually 75 percent of it is beyond the direct control of the Congress. We are only dealing with about 25 percent of that budget that we can say with assurance actually can control. This has been caused largely because of the cost of past wars which have consumed so much of our resources.

I certainly commend the distinguished majority leader once again for bringing out this very sobering thought. I trust that in dealing with the military bill pending before the Senate that we will take that into account. And that is one of the reasons that I will vote decisively against the speedup accelerated program for the Trident today.

Mr. President, in my closing moment, I would like to turn to the majority leader not just as a statesman but also as a fellow grandfather, and indicate to him that when the senior Senator from Illinois leaves the Chamber at 4 o'clock today for 24 hours, it will not be because it is his own birthday—which it is—but because his infant grandson, by the name of Charles Percy Rockefeller, is going to be christened tonight in the great State of West Virginia, and also his son-in-law will be sworn in tomorrow as the new president of West Virginia Wesleyan College.

I shall indicate myself in every vote that I may miss and do not presume that my absence will cause the downfall of the Republic. I think the distinguished majority leader will agree that even a Senator cannot perform his family functions by proxy, and I hope I shall have the understanding of the majority and minority leadership when I leave the Capital for 24 hours at 4 p.m. today.

Mr. MANSFIELD. As Gabriel Heatter used to say:

There's good news today.

This is a most pleasant and auspicious occasion. I wish we would hear more about things of this nature instead of wars, installations, bases, and expenses everywhere in the world except at home. Congratulations.

Mr. STAFFORD. Mr. President, the minority would like to join in offering Illinois. We will certainly understand his absence.

The PRESIDING OFFICER (Mr. MATTHIAS). Is there further morning business?

Mr. PERCY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 27, 1973, he presented to the President of the United States the following enrolled bills:

S. 464. An act for the relief of Guido Bel-lance; and

S. 2075. An act to authorize the Secretary of the Interior to engage in feasibility investigation of certain potential water resource developments.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2176. A bill to provide for a national fuels and energy conservation policy, to establish an Office of Energy Conservation in the Department of the Interior, and for other purposes (Rept. No. 83-409). Referred to the Committee on Commerce.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. MAGNUSON:

S. 2492. A bill for the relief of Sara Shepard and Maribel Shepart. Referred to the Committee on the Judiciary.

By Mr. NUNN (for himself and Mr. TALMADGE):

S. 2493. A bill to authorize the disposal of silicon carbide from the national stockpile and the supplemental stockpile. Referred to the Committee on Armed Services.

By Mr. HARTKE (by request):

S. 2494. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of a pension to World War I veterans. Referred to the Committee on Veterans' Affairs.

By Mr. MAGNUSON (for himself, Mr. Moss, and Mr. TUNNEY):

S. 2495. A bill to amend the National Aeronautics and Space Act of 1958 to apply the scientific and technological expertise of NASA to the solution of domestic problems, and for other purposes. Referred jointly to the Committee on Aeronautical and Space Sciences and the Committee on Commerce, by unanimous consent.

By Mr. CHURCH (for himself and Mr. Moss):

S. 2496. A bill to amend the Public Health Service Act to provide for training programs which will train nurse practitioners to serve

as physicians' assistants in extended care facilities. Referred to the Committee on Labor and Human Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MAGNUSON (for himself, Mr. Moss, and Mr. TUNNEY):

S. 2495. A bill to amend the National Aeronautics and Space Act of 1958 to apply the scientific and technological expertise of NASA to the solution of domestic problems, and for other purposes. Referred jointly to the Committee on Aeronautical and Space Sciences and the Committee on Commerce, by unanimous consent.

Mr. MAGNUSON. Mr. President, on January 31, 1958, the United States took its first tentative step into the vast reaches of space with the successful launching of the tiny 30-pound Explorer satellite. Now, 15 short years later, the Skylab II astronauts have just completed their 59 days of far-reaching and invaluable scientific exploration of space. The progress that has been made in space is indeed tremendous, but the promise it holds for progress here on Earth is far more incredible and far more important. It is to that promise of solutions to the challenges of life right here on our own planet in our own country that the Technology Resources Survey and Application Act is addressed.

Our achievements in space have demonstrated, beyond any doubt, the Nation's capability for marshaling its scientists, its technicians, its managers, its private industry, and its Government into a single technological problem-solving team. The legislation I am introducing today would build upon that model and the knowledge our space program has produced to attack the technological problems we face in our everyday lives—the problems of illness, transportation, safety, housing, pollution, the energy crisis and many others.

Mr. President, this is no idle dream. In testimony earlier this year before the Senate Committee on Aeronautical and Space Sciences, NASA's Deputy Assistant Administrator for Technology Utilization described a wide variety of cases where space-age science is already being applied to the age-old problems of man on Earth. Let me cite just a few examples from that testimony:

Equipment developed for NASA's Manned Spacecraft Center has been adopted for use as a highly refined medical instrument to better diagnose eye tumors.

NASA's Marshall Flight Center and Vanderbilt University have adopted other space equipment and technology to aid doctors in examining children with heart defects and deciding whether surgery is required.

Aerospace technology originally developed for use on the Viking mission to Mars has gone into the development of devices now being clinically tested which detect the presence of bacteria in human body fluids and also measure the patient's response to various medications.

Paralyzed patients and amputees are now using special switches developed

originally by NASA for use by astronauts immobilized by high gravitational forces, to control the various support devices the handicapped must have to move around.

NASA technology in life-support systems has made possible the development of new breathing apparatus to protect fire fighters from smoke inhalation.

The NASA Ames Research Center, which has been involved in the development of materials for fire protection aboard spacecraft, is now working in conjunction with the Federal Railroad Administration and the Association of American Railroads to develop materials to protect tanker cars from fire in accidental derailments.

Working together with other Federal agencies as well as with private industry, NASA is developing new smoke detection devices to greatly decrease fire hazards in large housing developments.

The Bureau of Mines and NASA are jointly engaged in adopting the Lunar Rover used by moon explorers to serve as a vehicle to rescue trapped coal miners.

In conjunction with the Environmental Protection Agency, NASA is developing special new sensors to detect and measure air pollutants.

Railroad safety stands to be improved as a result of NASA-developed technology that is now being tested for use in detecting potential rail safety hazards.

Mr. President, science and our scientists, technology and our technicians have passed the critical test of outer space. The developments I have just cited demonstrate that manpower and that knowledge can be successfully applied to the technological problems in our daily lives. Now it is up to us to insure that they will be applied. That is the purpose of the Technology Resources Survey and Applications Act.

This act would create a three-element system for utilizing available technical manpower and other resources in the solution of critical domestic problems.

First, it would create a long-range survey of technological resources. This survey would draw on both Government and private sources to identify the actual scientific research being done by private enterprise, the academic community, government at all levels, and other sources. This survey would also note areas of research critical to the solution of important domestic problems that are being neglected. The survey should also describe to what degree unemployment among technically oriented workers exists. This survey would be updated yearly. It is long overdue and is an approach recommended by the National Academy of Engineering.

Second, the act would provide an inventory of critical domestic problems which are susceptible to resolution by the application of science and technology. It would provide for the selection from among these of such programs as will utilize unemployed technological resources and contribute to the resolution of critical domestic problems.

Third, the act would provide an organization within NASA to carry out programs thus identified to resolve critical national programs. This would expand an activity already underway within NASA

and enable it to carry out other activity which has already exhibited an impressive record of success.

The survey of technological resources and the identification of critical national problems would be under the direction of a National Technology Resource Council composed of Cabinet Members and agency heads most involved with high technology problems. This Council would not be obligated to assign all problems which it identifies to NASA for solution, but could do so where they felt it to be in the best interests of the country. The Council, procedurally, would make its recommendations to the President who, in turn, would make the ultimate decision as to assignment.

The Technology Resources Survey and Applications Act provides for the systematic application of unemployed technological resources to the Nation's technology oriented problems. Our country has both the technological momentum and resources to overcome the most serious of our technology oriented problems. What we lack is a strategy. The Technology Resources Survey and Applications Act fills an urgent need.

Finally, in light of the proposed change in mission for NASA outlined in this bill, I am suggesting changing the name of the agency to the National Applications of Science Administration (NASA). However, I have not included this name change in the bill. Changing the name is an issue which must be thoroughly considered by the committees with jurisdiction over this bill. I do believe the name I have suggested would accurately reflect the new role which my bill attempts to create for NASA.

Mr. President, I ask unanimous consent that this bill be jointly referred to the Aeronautical and Space Sciences Committee and to the Commerce Committee. I also ask unanimous consent to have the bill printed in full at his point in the Record.

The PRESIDING OFFICER: Without objection, it is so ordered.

S. 2495

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Technology Resources Survey and Applications Act".

STATEMENT OF FINDINGS AND DECLARATION OF POLICY

SEC. 2(a) The Congress hereby finds and declares that—

(1) The scientific and technological resources of the United States can and should be used more effectively and efficiently to solve critical domestic problems.

(2) Such scientific and technological resources, if properly applied and directed, could effectively meet many major public needs.

(3) It is the responsibility of the Federal Government to insure the full and efficient use of such scientific and technological resources.

(4) A more systematic approach to analyzing and planning for the resolution of critical domestic problems is essential to achieving such full and efficient use of the Nation's scientific and technological resources.

(5) A comprehensive long-range technological resources survey is a prerequisite to the more effective utilization of scientific and technological resources in the resolution of critical domestic problems.

(b) Therefore, it is hereby declared by the

United States that the Federal Government shall henceforth be responsible for applying the technological resources of the United States to the resolution of critical domestic problems, and shall prepare and maintain a comprehensive national technological survey.

SEC. 3(a) Section 102(d) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451(d)) is hereby amended to read as follows:

"(d) The Congress declares that the capability demonstrated by the aeronautical and space activities of the United States and the expertise developed by the National Aeronautics and Space Administration in research and in the development of new and advanced technology to solve complex problems shall be made available and be used in the resolution of critical domestic problems of the United States to the extent not inconsistent with such aeronautical and space activity functions."

(b) Section 102 of such Act is further amended by adding at the end thereof the following new subsection:

"(e) It is the purpose of this Act to carry out and effectuate the policies declared in subsections (a), (b), (c), and (d) of this section."

SEC. 4. The National Aeronautics and Space Act of 1958 is amended by adding at the end thereof the following new title:

"TITLE IV—NATIONAL TECHNOLOGY RESOURCES PLANNING AND COORDINATION"

"THE NATIONAL TECHNOLOGY RESOURCE COUNCIL"

"SEC. 401. (a) There is established in the Executive Office of the President the National Technology Resources Council (hereafter in this title referred to as the 'Council') which shall be composed of the—

- "(1) Vice President;
- "(2) Secretary of Commerce;
- "(3) Secretary of Health, Education, and Welfare;
- "(4) Secretary of Housing and Urban Development;
- "(5) Secretary of Transportation;
- "(6) Administrator of the National Aeronautics and Space Administration;
- "(7) Director of the National Science Foundation;
- "(8) Chairman of the Atomic Energy Commission;
- "(9) Chairman of the Council on Environmental Quality;
- "(10) Administrator of the Environmental Protection Agency; and
- "(11) Secretary of the Interior.

"(b) The Vice President shall be the Chairman of the Council. The President shall from time to time designate one of the other members of the Council to serve as Acting Chairman during the absence, disability, or unavailability of the Chairman.

"(c) Each member of the Council may duly designate in writing a qualified officer or employee of his office, department, or agency to serve as his representative on the Council in his absence.

"(d) Each person designated under subsection (c) of this section as the representative of a member of the Council shall be designated to serve as such by and with the advice and consent of the Senate and shall appear before appropriate committees of the Congress upon request relevant to the activities of the Council.

"FUNCTIONS OF THE COUNCIL"

"SEC. 402. (a) It shall be the function of the Council to prepare a technology resources survey in accordance with section 403 of this title and to advise and assist the President with respect to other technology resource matters.

"(b) The Council shall—

- "(1) develop and supervise a technology

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resources survey, in accordance with section 403 of this title;

"(2) develop a comprehensive program to identify in advance scientific and technological resources, including manpower, which are available for the resolution of critical domestic problems but which are not being fully utilized for such purposes;

"(3) review and evaluate the activities of Federal departments and agencies engaged in programs which are recommended by the technology resource survey and similar activities of State and local public agencies;

"(4) make recommendations to the President who may assign any critical domestic problem which is identified by the technology resource survey to the Office of Technology Applications of the National Aeronautics and Space Administration or any more appropriate Federal agency.

"(5) review and evaluate the progress in solving problems assigned by the Council to the Office of Technology Application of the National Aeronautics and Space Administration and to other Federal agencies; and

"(6) prepare and submit a report to the Congress at least once in each fiscal year on the activities of the Council during the preceding fiscal year.

"TECHNOLOGY RESOURCES SURVEY

"SEC. 403 (a) The Council shall prepare and transmit to the President and to the Congress at the earliest practicable date a technology resources survey. Such survey shall identify the existing scientific engineering and technological activities, capabilities, programs and resources and the means by which each might be applied and used to practical advantage in the resolution of the nation's critical domestic problems. The survey shall include, but is not limited to, making—

"(1) an inventory of the Nation's scientific and technological resources;

"(2) an inventory of critical domestic problems which may be susceptible of resolution by the application of science and technology; and

"(3) recommendations for programs which will strengthen the economy and contribute to the resolution of such critical domestic problems.

"(b) Such technology resources survey shall be reviewed and revised annually by the Council. The survey and each such annual revision shall contain a full explanation of the determinations, and recommendations of the Council together with reasons therefor. The survey and each such annual revision shall be printed and made available as a public document and published in the Federal Register.

"ADMINISTRATIVE PROVISIONS

"SEC. 404. (a) The Council is authorized to employ a staff which shall be headed by an executive director. The executive director with the approval of the Council is authorized to the extent necessary to—

"(1) appoint, assign the duties and fix the compensation of personnel without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, at rates not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title; and

"(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed \$100 a day for individuals.

"(b) The Council shall, to the fullest extent possible, use the services, facilities, and information, including statistical information, of other governmental agencies as well as private research agencies. Each department, agency, and instrumentality of the

executive branch of the Government, including any independent agency, is authorized to request made by the executive director with the approval of the Council, such information as the Council deems necessary to carry out its functions under this title.

"(c) The Council is authorized to establish advisory committees and may consult with such representatives of state and local governments and with such groups, organizations, and individuals as it may deem advisable.

"THE OFFICE OF TECHNOLOGY APPLICATION

"SEC. 405. (a) The Administrator of the National Aeronautics and Space Administration shall establish within the Administration an Office of Technology Application to be composed of the Office of Applications and the Office of Technology Utilization in the Administration, and other such offices and agencies as the Administrator determines have functions which primarily relate to the duties assigned by this section.

"(b) In order to carry out the purpose of this Act, the Administrator, through the Office of Technology Application shall—

"(1) upon request, furnish technical assistance to the Council in the preparation of the technology resources survey;

"(2) upon request, furnish technical assistance to the Council in deciding what critical domestic problem may be resolved by applying scientific and technological resources;

"(3) upon direction of the Council, accept responsibility for specific domestic problems which may be susceptible of resolution by the application of scientific and technological resources; and

"(4) utilize aerospace firms and other scientific organizations in the private sector on a contract basis to assist in developing scientific strategies for the resolution of critical domestic problems.

"(c) Except as otherwise provided in this title, the Administrator shall, in carrying out its functions under this title, have the same powers and authority it has under title II of this Act."

Sec. 5, Section 5316 of title 5, United States Code, is amended by adding at the end thereof the following new paragraphs:

"(132) Executive Director, the National Technology Resources Council

"(133) Assistant Administrator for the Office of Technology Application, National Aeronautics and Space Administration."

Sec. 6. (a) There are hereby authorized to be appropriated to the National Technology Resources Council \$10,000,000 for the fiscal year ending June 30, 1974 and the fiscal year ending June 30, 1975 to carry out its functions under title IV of the National Aeronautics and Space Act of 1958.

(b) There are hereby authorized to be appropriated to the National Aeronautics and Space Administration \$200,000,000 for the fiscal year ending June 30, 1975 to carry out its functions under title IV of the National Aeronautics and Space Act of 1958.

By Mr. CHURCH (for himself and Mr. Moss):

S. 2496. A bill to amend the Public Health Service Act to provide for training programs which will train nurse practitioners to serve as physicians' assistants in extended care facilities. Referred to the Committee on Labor and Public Welfare.

IMPROVING THE QUALITY OF CARE IN NURSING HOMES

Mr. CHURCH, Mr. President, I introduce for appropriate reference a bill to help improve the quality of life for the nearly 1 million residents of our 23,000 nursing homes.

My bill would provide funds to schools of nursing to establish programs to train nurses in geriatrics and the needs of nursing home patients.

The bill is in response to one of the most serious problems in the nursing home field and that is the absence of the physician from the nursing home setting. Almost all students of long-term care will agree that doctors have neglected the care of patients in nursing homes. Even President Nixon, in his speech in Chicago last year, said that physicians do not view the nursing home as part of the medical continuum; that they get too "depressed" and feel their time is better spent tending to the younger members of society.

This tendency has been documented by the Subcommittee on Long-Term Care under the chairmanship of the distinguished Senator from Utah, Senator FRANK E. MOSS. In numerous hearings, including investigations of the Baltimore salmonella epidemic where 25 nursing home patients died of food poisoning, the subcommittee has learned that doctors do not view bodies of patients who have died in nursing homes before signing death certificates and that in some nursing homes the telephone is becoming a more important medical instrument than the stethoscope.

The General Accounting Office confirmed these facts in its May 28, 1971 audit of 90 nursing homes in 3 States. The GAO sample revealed that over 50 percent of the nursing homes surveyed did not meet the Federal requirement that Medicaid patients be seen by physicians at least once every 30 days.

When the physician is absent from the nursing home, an intolerable burden falls on the nursing staff. The registered nurse must spend more and more of her time with administration and supervisory responsibility, and untrained aides must provide much of the medical care. Certainly this is not true in every State, but the incidence is wide enough to be truly alarming.

To my mind these problems demand immediate action. I am aware of the recent contract between HEW and the American Medical Association to develop seminars to inform doctors of the needs of nursing home patients and I know of the legislation introduced by Senator MOSS to help create departments of geriatrics in schools of medicine, but I feel that nursing home patients need immediate and more far-reaching protection. It is for this reason that I am offering my bill for the consideration of the Senate.

Since the most reasonable explanation for the failure of physicians to visit nursing homes is simply that they are already overworked and in short supply, the answer suggested in my bill is to substitute nurse practitioners trained in geriatrics. Nurse practitioners would assume the responsibility for the care of nursing home patients subject to the continuous and overall responsibility of a physician who has agreed to be on call and to assume the duties and title of medical director as defined by the forthcoming skilled nursing facility regulations.